



Atty. Dkt. No. 0709.014.0002
United States Serial No. 10/660,760

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Liebmann-Vinson *et al.*

Appl. No. 10/660,760

Filed: September 12, 2003

For: **Methods of Surface Modification
of a Flexible Substrate to Enhance Cell
Adhesion**

Art Unit: 1712

Examiner: Unknown

Atty. Docket: 0709.014.0002

Confirmation No.: 5991

Customer No.: 46851

**REQUEST FOR AMENDMENT OF APPLICATION UNDER 35 U.S.C. §116 AND
37 C.F.R. §1.48(a) TO CORRECT INVENTIVE ENTITY**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is a request to amend the above-captioned application to correct the inventive entity set forth in the declaration filed December 12, 2003. The error in inventive entity in the December 12, 2003 declaration was made without deceptive intent.

Please **add** the following individuals to the inventive entity in the above-captioned application:

Kirill Efimenko

Jan Genzer.

01/24/2005 MMEKONEN 00000065 503120 10660760
01 FC:1464 130.00 DA

To effectuate the amendment to inventive entity, enclosed herewith are:

(1) statements under 37 C.F.R. §1.48(a)(2) from each inventor being added to the application, stating that the error in inventorship occurred without deceptive intent on his or her part;

(2) a newly executed declaration under 37 C.F.R. §1.63, wherein each actual inventor has been presented;

(3) a statement under 37 C.F.R. §1.48(a)(5) providing written consent of the assignee of record of the entire right, title and interest in the above-captioned application, to amend the application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a);

(4) a copy of the statement under 37 C.F.R. §3.73(b) establishing ownership of the above-captioned application; and

(5) authorization to charge deposit account number 50-3120 for all required fees under 37 C.F.R. §§1.17(i) and 1.48(a) for entry of the amendment to the above-captioned application.

Entry of this amendment to correct inventive entity is earnestly solicited.

After entry of this amendment, the inventive entity of the above-captioned application should now read:

Liebmann-Vinson, Andrea;
Chaney, Bryce N.;
Efimenko, Kirill; and
Genzer, Jan.

It is not believed that any extensions of time are necessary to prevent abandonment of this application. If, however, extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required, including fees for net addition of claims, are hereby authorized to be charged to account number 50-3120.

Should the Examiner believe that further discussion of any remaining issues would advance the prosecution, he or she is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date January 18, 2005

By Todd B. Buck

Castellano Malm Ferrario & Buck PLLC
Customer Number: 46851
Telephone: (202) 478-5300
Facsimile: (202) 318-1288

Todd B. Buck
Registration No. 48,574



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number

10/660,760

Filing Date

September 12, 2003

First Named Inventor

Andrea Liebmann-Vinson

Art Unit

1712

Examiner Name

Unknown

Attorney Docket Number

0709.014.0002

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Remarks

Request to correct inventive entity, including:

(1) Request under 35 USC 116 and 37 CFR 1.48; (2) Newly executed declaration and power of attorney; (3) Statements (two) from each inventor being added that the error was made without deception; (4) Statement under 37 CFR 1.48(a)(5) consenting to amending the application; (5) Statement under 37 CFR 3.73 establishing ownership of application; and (6) Fee Transmittal (2 copies)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Castellano, Malm, Ferrario & Buck

Signature

Printed name

Todd B. Buck

Date

January 18, 2005

Reg. No.

48,574

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

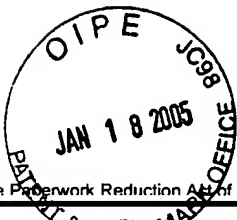
Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 130.00**Complete if Known**

Application Number	10/660,760
Filing Date	September 12, 2003
First Named Inventor	Andrea Liebmann-Vinson et.al
Examiner Name	Unknown
Art Unit	1712
Attorney Docket No.	0709.014.0002

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-3120 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
0 - 20 or HP =	0	50 =	0

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
0 - 3 or HP =	0	200 =	0

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
	0	0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Fee for Correcting Inventorship under 37 C.F.R. 1.17(i) and 1.48(a)(4)

130.00

SUBMITTED BY

Signature		Registration No. 48,574 (Attorney/Agent)	Telephone 202-478-5300
Name (Print/Type)	Todd B. Buck		Date January 18, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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For: **Methods of Surface Modification
of a Flexible Substrate to Enhance Cell
Adhesion**

Art Unit: 1712

Examiner: Unknown

Atty. Docket: 0709.014.0002

Confirmation No.: 5991

**STATEMENT UNDER 37 C.F.R. §1.48(a)(2) THAT ERROR IN INVENTORSHIP
OCCURRED WITHOUT DECEPTIVE INTENT**

This is a communication under 37 C.F.R. §1.48(a)(2) in connection with the Request for Amendment of Application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a), filed herewith.

I, Kirill Efimenko, declare the following:

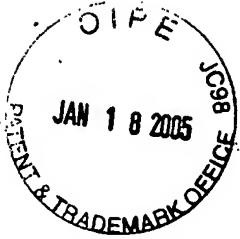
1. I was not listed on, and I did not sign, the declaration, filed December 12, 2003, in connection with the above-referenced application to establish inventive entity in connection with the above-referenced application.

2. This error in omitting my name and signature from the declaration of December 12, 2003, was made without any deceptive intent on my part.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: December 3, 2004;


Kirill Efimenko



Atty. Dkt. No. 0709.014.0002
United States Serial No. 10/660,760

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

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This is a communication under 37 C.F.R. §1.48(a)(2) in connection with the Request for Amendment of Application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a), filed herewith.

I, Jan Genzer, declare the following:

1. I was not listed on, and I did not sign, the declaration, filed December 12, 2003, in connection with the above-referenced application to establish inventive entity in connection with the above-referenced application.

2. This error in omitting my name and signature from the declaration of December 12, 2003, was made without any deceptive intent on my part.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: Dec 3, 2004;


Jan Genzer



Atty. Dkt. No. 0709.014.0002
United States Serial No. 10/660,760

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit: 1712

Examiner: Unknown

Atty. Docket: 0709.014.0002

Confirmation No.: 5991

**STATEMENT UNDER 37 C.F.R. §1.48(a)(5) CONSENTING TO AMENDING
APPLICATION TO CORRECT INVENTIVE ENTITY**

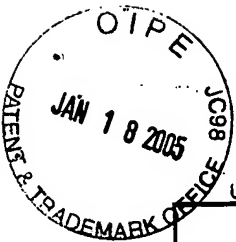
This is a communication under 37 C.F.R. §1.48(a)(5) in connection with the Request for Amendment of Application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a), filed herewith.

(1) As established in the accompanying Statement Under 37 C.F.R. §3.73(b), **Becton, Dickinson and Company**, a New Jersey corporation, is the assignee of record in the above-captioned application (United States Serial No. 10/660,760).

(2) The undersigned, being authorized to act on behalf **Becton, Dickinson and Company**, consents to amending the above-captioned application under 35 U.S.C. §116 and 37 C.F.R. §1.48(a) to correct inventive entity.

Executed on: September 30, 2004;

David W. Highet
Assistant Secretary



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Andrea Liebmann-Vinson

Application No./Patent No.: 10/660,760 Filed/Issue Date: September 12, 2003

Entitled: Methods of Surface Modification of a Flexible Substrate to Enhance Cell Adhesion

Becton, Dickinson and Company, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014787, Frame 0474, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

<u>David W. Highet</u>	<u>SEP. 27, 2004</u>
Signature	Date
<u>David W. Highet</u>	<u>201-847-5317</u>
Printed or Typed Name	Telephone Number
<u>Assistant Secretary</u>	
Title	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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